UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/990,625	MONTGOMERY ET AL.
	Examiner	Art Unit
	AKIBA K. ROBINSON BOYCE	3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>14 September 2009</u>.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1,3-6,8,9,12-24,26-38,40-42,44,45,55 and 56</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) <u>1,3-6,8,9,12-24,26-38,40-42,44,45,55 and 56</u> is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>2/6/09</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/14/09

has been entered.

Status of Claims

2.   Due to communications filed 10/31/08, the following is a non-final office action.

Claims 1, 3-6, 8-9, 12-24, 26-38, 40-42, 44, 45, and 55-56 have been amended.

Claims 2, 7, 10-11, 25, 39, 43, 46-47 and 49-54 are cancelled. Claims 1, 3-6, 8-9, 12-

24, 26-38, 40-42, 44, 45, and 55-56 are pending in this application, and have been

examined on the merits. The previous rejection has been adjusted to reflect claim

amendments. Claims 1, 3-6, 8-9, 12-24, 26-38, 40-42, 44, 45, and 55-56 are rejected as

follows.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth

in section 102 of this title, if the differences between the subject matter sought to be patented and the

prior art are such that the subject matter as a whole would have been obvious at the time the invention

was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability

shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 3-6, 8-9, 12-24, 26-28, 30-38, 40-42, 44, 45, and 55-56 are rejected

under 35 U.S.C. 103(a) as being unpatentable over Sansone (US 6,547,136), and

further view of Gordon (6, 527, 128), and further in view of Whitehouse (US 6,005,945).

As per claim 1, Sansone discloses:

generating, at a postage-issuing computer system, a unique postage indicium, *(col 5,

lines 16.-29 shows* indicia that contains: a dollar amount 93 for the total postage and

fees due; the date 94 that indicia 90 was generated; the place 95 of the computer that

printed indicia 90; the postal security device serial number 96 or virtual meter number; a

FIM code 97; a two-dimensional, encrypted bar code 98; the zip code 91 of the seller

who is returning the goods that label 251 is affixed to; and the class of mail 92 to which

label 251 is going to be affixed, and where unique number 252 appears below indicia

90, which is encrypted and includes the date and time that indicia 54 was printed on

label 49 and the weight of container 50 when it was originally sent)

storing information for the postage transaction in a database coupled to the postage-

issuing computer system, wherein the information stored for the postage transaction

includes the unique tracking identifier that provides the mail piece tracking capability

within the USPS and a delivery status associated with the unique tracking identifier,

(Col. 6, lines 28-33, calculates postage required and enters the appropriate information

in label 251 which includes codes used to track the goods (see fig 3A, [zip codes 80 and

84])], here, this information is then stored in actual returned orders data base, and col.

9, lines 14-26, shows that a determination as to whether or not stored information

matches the decrypted portion of bar code 253 on Merchandise Return Label 251. If a

determination is made that the information matches/does not match, a status report is

reported, thereby making it obvious for the status information to be also stored since the

status information is actually reported back to the customer based on information in the

database, and therefore, some type of storage of the status information must take place

in order for it to be "reported" and also since status information is originally derived from

database information . It would have been obvious to one of ordinary skill in the art at

the time of the applicant's invention to disclose storage of delivery status information

with the motivation of showing that information derived from data in the database had

been originally stored);

retrieving the information stored for the postage transaction from the database in

response to the postage-issuing computer system receiving a refund inquiry

for the postage transaction, wherein the information retrieved for the postage

transaction from the database includes the delivery status associated with the unique

tracking identifier, (Col. 6,lines 20-24, buyer contact return processing, where the

postage required for returning the goods is computed in col. 6, lines 28-30, and in this

case, the postage to mail the goods back to the seller is analogous to the postage

refund since it is common for a business to provide a buyer with free shipping with a

return, as shown in Col. 3, lines 21-23, where it is shown that the data center will pay

the post the amount debit to the meter for the cost of returning the container and col. 6,

lines 33-47 shows that after the determination and storage of postage needed for return,

label is downloaded and scanned, and a determination is made that the information

matches/does not match in database); and

refunding the postage transaction based on the delivery status associated with the

unique tracking identifier, (col. 6, lines 40-47, buyer 200 will receive a refund via

returned goods process if there is a match in the database).

Sansone et al does not specifically disclose generating , a unique postage indicium in

response to receiving a request for a postage transaction, wherein the unique postage

indicium contains a unique tracking identifier that provides a mail piece tracking

capability, however, Gordon, in col. 4, lines 46-65, shows a request for postage where

Part of the processing of this request ensures that proper payment for the postage has

been received and Once the request for postage has been fully processed within the

postal authority 10, the cryptographically secured or plain text postage indicia is

transmitted 16 to the mailer and col. 5, lines 20-32 shows that, as part of the request 14,

the mailer 12 transmit recipient address information to the postal authority 10. The

postal authority 10 then associates the recipient address information with the indicia

created therein and stores this information in a master log database 20, and at this

point, the master log database stores the associated indicia and recipient address

information in an indexed fashion within the database, where the postage indicia

contains a serial or transaction number which may be utilized to index the master log

database. It would have been obvious to combine the teachings of Sansone and

Gordon to disclose generating , a unique postage indicium in response to receiving a

request for a postage transaction, wherein the unique postage indicium contains a

unique tracking identifier that provides a mail piece tracking capability with the

motivation of showing that unique indicium is used to track packages.

    Neither Sansone nor Gordon specifically disclose tracking capability within the

United States Postal Service (USPS),However, Whitehouse discloses that the postal

authority could check its database, and the database of the secure computer used to

dispense the postage indicium (from the postal authority) will verify the date, meter

number and serial number of the allegedly misprinted indicium, and if properly verified,

(the computer at the postal authority) will issue a refund, in Col. 25, lines 5-17. It

therefore would be obvious to combine the teachings of Sansone, Gordon and

Whitehouse to disclose a tracking capability within the United States Postal Service

(USPS) with the motivation of showing that the USPS is the common authority used to

track and track packages throughout the United States.

As per claim 3, Sansone discloses:

displaying the information retrieved for the postage transaction from the database at the

postage-issuing computer system in response to the refund inquiry for the postage

transaction, (Col. 7, lines 38-44, display results of postage calculations).

As per claim 4, Sansone discloses:

receiving confirmatory delivery status information associated with the unique

tracking identifier from the USPS, wherein the confirmatory delivery status information

indicates whether the USPS has delivered a mail piece carrying; the unique tracking

identifier, (Col. 5, lines 32-33, and Fig 3B shows that delivery confirmation 254 is affixed

to label 251 on the package [where label 251 contains the unique code used for tracking

purposes); and

updating the delivery status associated with the unique tracking identifier in the

database with the confirmatory status information received from the USPS, (col. 6, lines

36-40 discloses that upon return, label 49 is associated with label 251, and information

on label 49 is scanned/stored in the database, and since delivery confirmation label 254

is affixed to the label 251 [or to label 49 upon a return], one can conclude that

information on delivery confirmation label 254 is also scanned and stored in the

database, meaning every time there is a return, the delivery confirmation is updated in

the database when it is scanned).

As per claim 5, Sansone discloses:

wherein the information stored for the postage transaction further includes a date and

the unique postage indicium for the postage transaction., (Col. 4, line 18, date included

with the stored postal indicia).

As per claim 6, Sansone discloses:

wherein the information stored for the postage transaction further includes a date,

a time, a destination zip code, a service class, a postage amount, a mail piece weight,

and the unique postage indicium for the postage transaction, (Col. 4, line 18, date

included with the stored postal indicia, Col. 4, lines 49-59, dollar amount, date, zip code,

class of mail, date and time, weight, and Col. 6, lines 28-33, calculates postage required

and enters the appropriate information in label 251 which includes codes used to track

the goods (see fig 3A, [zip codes 80 and 84])], here, this information is then stored in

actual returned orders data base).

As per claims 8, 9, Sansone discloses:

wherein the refund inquiry is received from an account administrator that operates a

user interface at the postage-issuing computer system, (Col. 6,lines 20-24, buyer

contact return processing, shows both buyer and return processing is involved in the

refund inquiry, where returns processing represents the account administrator and the

buyer represents the end user);

As per claims 12/14, 22, Sansone does not specifically disclose refunding the postage transaction in response to determining that the delivery status associated with the unique tacking identifier indicates that the USPS has not delivered a mail piece carrying with the unique tracking identifier; and denying the refund inquiry in response to determining that the delivery status associated with the unique tacking identifier indicates that the USPS has delivered the mail piece carrying the unique tracking identifier, but does disclose issuing a refund for returned goods in col. 10, line 61. However, Whitehouse discloses in Col. 25, lines 5-18, that a process is carried out to ensure that the postal service would not issue a refund for a postage indicia that was previously used. Whitehouse discloses this limitation in an analogous art for the purpose of showing that the postal service does not issue refunds for postage indicia that was previously used.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose refunding the postage transaction in response to determining that the delivery status associated with the unique tacking identifier indicates that the USPS has not delivered a mail piece carrying with the unique tracking identifier; and denying the refund inquiry in response to determining that the delivery status associated with the unique tacking identifier indicates that the USPS has delivered the mail piece carrying the unique tracking identifier, with the motivation of not issuing a refund for delivered mail, and thus used postage.

As per claims 13, 21, 27, 42, Sansone discloses:

receiving confirmatory delivery status information associated with the unique tracking

identifier from the USPS in response to the USPS processing a mail piece-the unique

tracking identifier and reading the unique tracking; identifier carried on the mail piece,

(Col. 5, lines 32-33, delivery confirmation 254 affixed to label 251, which is affixed to the

package upon return); and

updating the delivery status associated with the unique tracking identifier to indicate

that the USPS has delivered the mail piece carrying the unique tracking

identifier, reading the USPS tracking ID on the mail piece, (col. 6, lines 36-40 discloses

that upon return, label 49 is associated with label 251, and information on label 49 is

scanned/stored in the database, and since delivery confirmation label 254 is affixed to

the label 251 [or to label 49 upon a return], one can conclude that information on

delivery confirmation label 254 is also scanned and stored in the database, meaning

every time there is a return, the delivery confirmation is updated in the database when it

is scanned).

Sansone does not specifically disclose processing the mail piece through the USPS, but

does disclose that the label of a Merchandise Return Label includes

the name of the post office that issued the permit number for returning a package.

However, Whitehouse discloses:

processing the mail piece through the USPS, (Col. 7, lines 40-42, shows postal

authority, col. 1, lines 37-42). Whitehouse discloses this limitation in an analogous art

for the purpose of showing that the postal authority/USPS is in charge of validating all

postal information).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's

invention to process the mail piece through the USPS and implementing confirmation

status updates for the purpose of showing that the postal authority has control over

processing of postal transactions including delivery confirmation.

As per claim 15, Sansone discloses:

generating, at a postage-issuing computer system, a first unique postage indicium, *(col*

5, lines 16.-29 shows indicia that contains: a dollar amount 93 for the total postage and

fees due; the date 94 that indicia 90 was generated; the place 95 of the computer that

printed indicia 90; the postal security device serial number 96 or virtual meter number; a

FIM code 97; a two-dimensional, encrypted bar code 98; the zip code 91 of the seller

who is returning the goods that label 251 is affixed to; and the class of mail 92 to which

label 251 is going to be affixed, and where unique number 252 appears below indicia

90, which is encrypted and includes the date and time that indicia 54 was printed on

label 49 and the weight of container 50 when it was originally sent);

storing information for the first postage transaction in a database coupled to the

postage-issuing computer system, wherein the information stored for the first postage

transaction includes the first unique tracking [[ID]] identifier that provides the mailpiece

tracking capability within the USPS, a first date for the first postage transaction date,

and a first delivery status associated with the first unique tracking [[ID]] identifier, (Col.

6, lines 28-33, calculates postage required and enters the appropriate information in

label 251 which includes codes used to track the goods (see fig 3A, [zip codes 80 and

84])], here, this information is then stored in actual returned orders data base, and (Col.

4, line 18, date included with the stored postal indicia, and col. 9, lines 14-26, shows

that a determination as to whether or not stored information matches the decrypted

portion of bar code 253 on Merchandise Return Label 251. If a determination is made

that the information matches/does not match, a status report is reported, thereby

making it obvious for the status information to be also stored since the status

information is actually reported back to the customer based on information in the

database, and therefore, some type of storage of the status information must take place

in order for it to be "reported" and also since status information is originally derived from

database information . It would have been obvious to one of ordinary skill in the art at

the time of the applicant's invention to disclose storage of delivery status information

with the motivation of showing that information derived from data in the database had

been originally stored);

Sansone et al does not specifically disclose generating , a unique postage indicium in

response to receiving a request for a postage transaction, wherein the unique postage

indicium contains a unique tracking identifier that provides a mail piece tracking

capability, however, Gordon, in col. 4, lines 46-65, shows a request for postage where

Part of the processing of this request ensures that proper payment for the postage has

been received and Once the request for postage has been fully processed within the

postal authority 10, the cryptographically secured or plain text postage indicia is

transmitted 16 to the mailer and col. 5, lines 20-32 shows that, as part of the request 14,

the mailer 12 transmit recipient address information to the postal authority 10. The

postal authority 10 then associates the recipient address information with the indicia

created therein and stores this information in a master log database 20, and at this

point, the master log database stores the associated indicia and recipient address

information in an indexed fashion within the database, where the postage indicia

contains a serial or transaction number which may be utilized to index the master log

database. It would have been obvious to combine the teachings of Sansone and

Gordon to disclose generating , a unique postage indicium in response to receiving a

request for a postage transaction, wherein the unique postage indicium contains a

unique tracking identifier that provides a mail piece tracking capability with the

motivation of showing that unique indicium is used to track packages.

Sansone et al does not specifically disclose associating the information stored for the

first postage transaction and the information stored for the second postage transaction

with a user account at the postage-issuing computer system , however, in the abstract,

Gordon discloses that counterfeit indicia are identified through a comparison of the

stored information in the master log database with information scanned from the

mailpiece itself, and that counterfeits may also be detected by recognizing the multiple occurrences of identical indicia. It therefore would be obvious to combine the teachings of Sansone et al and Gordon to disclose associating the information stored for the first postage transaction and the information stored for the second postage transaction with a user account at the postage-issuing computer system.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose the above limitation with the motivation of determining if multiple transactions are processed at a time.

Neither Sansone nor Gordon specifically disclose the following, however Sansone does disclose a system for issuing a refund for returned items in col. 10, line 61. However, Whitehouse discloses in the Abstract, lines 10-15, a database of information concerning user accounts [plural], and also, in Col. 28, lines 21-23, general postal indicia based on a plurality of user accounts, and also in Col. 25, lines 5-17, request a refund/issue a refund. It therefore would be obvious to combine the teachings of Sansone, Gordon and Whitehouse to disclose the following:

generating, at the, postage-issuing computer system, a second unique postage indicium in response to receiving a second request for a second postage transaction, wherein the second unique postage indicium contains a second unique tracking identifier that provides the mail piece tracking capability within the United States Postal Service (USPS);

storing information for the second postage transaction in the database, wherein the

information stored for the second postage transaction includes the second unique

tracking identifier that provides the mail piece tracking capability within the USPS, a

second date for the second postage transaction, and a second delivery status

associated with the second unique tracking identifier;

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to disclose the above limitations in an analogous art for the

purpose of showing that the postal service can deal with a plurality of postage

transactions for a plurality of user accounts, and does not issue refunds for postage

indicia that was previously used.

Neither Sansone nor Gordon specifically disclose tracking capability within the

United States Postal Service (USPS),However, Whitehouse discloses that the postal

authority could check its database, and the database of the secure computer used to

dispense the postage indicium (from the postal authority) will verify the date, meter

number and serial number of the allegedly misprinted indicium, and if properly verified,

(the computer at the postal authority) will issue a refund, in Col. 25, lines 5-17. It

therefore would be obvious to combine the teachings of Sansone, Gordon and

Whitehouse to disclose a tracking capability within the United States Postal Service

(USPS) with the motivation of showing that the USPS is the common authority used to

track and track packages throughout the United States.

As per claim 16, Sansone discloses:

wherein the information stored for the first postage transaction further

includes a first destination zip code, a first service class, a first postage amount,

and the first unique postage indicium for the first postage transaction, (Col. 4, lines 49-

59, dollar amount, date, zip code, class of mail, data and time, weight);;

wherein the first postage transaction is refunded only in response, to further determining

that the first destination zip code, the first service *class,* and the first postage amount for

the first postage transaction are the same as the second destination zip code, the

second service class, and the second postage amount for the postage transaction, (Col.

6, lines 42-47, If the information in code 253 matches the information sent to data base

262, container 50 will be sent to delivery process 226. Delivery process 226 is coupled

to return goods process 110. Seller 100 will receive the goods via delivery process 226,

and buyer 200 will receive a refund via returned goods process.

Sansone does not disclose a comparison between first and second transactions,

however, in the abstract, Gordon discloses that counterfeit indicia are identified through

a comparison of the stored information in the master log database with information

scanned from the mailpiece itself, and that counterfeits may also be detected by

recognizing the multiple occurrences of identical indicia. It therefore would be obvious

to combine the teachings of Sansone et al and Gordon to disclose first and second

transactions with the motivation of showing that multiple transaction data are detected

for refund processing purposes.

Neither Sansone nor Gordon specifically disclose the following, however Sansone does

disclose a system for issuing a refund for returned items in col. 10, line 61. However,

Whitehouse discloses in the Abstract, lines 10-15, a database of information concerning

user accounts [plural], and also, in Col. 28, lines 21-23, general postal indicia based on

a plurality of user accounts, and also in Col. 25, lines 5-17, request a refund/issue a

refund. It therefore would be obvious to combine the teachings of Sansone, Gordon

and Whitehouse to disclose the following:

wherein the information stored for the second postage transaction further includes a

second destination zip code, a second service class, a second postage amount, and the

second unique postage indicium for the second postage transaction.

It would have been obvious to one of ordinary skill in an analogous art for the

purpose of showing that the postal service can deal with a plurality of postage

transactions for a plurality of user accounts, and does not issue refunds for postage

indicia that was previously used.

As per claims 17,38, Sansone discloses:

receiving confirmatory delivery status information associated with one or more of the

first unique tracking identifier or the second unique identifier from the

USPS, wherein the confirmatory delivery status information indicates whether the USPS

has delivered the mailpiece carrying the first unique tracking identifier or another mail

piece carrying the second unique tracking identifier, (Col.5, lines 32-33, and Fig 3B

shows that delivery confirmation 254 is affixed to label 251 on the package [where label

251 contains the unique code used for tracking purposes);; and

updating one or more of the first delivery status associated with the first unique

tracking identifier or the second delivery status associated with the second unique

tracking identifier in the database with the confirmatory delivery status

information received from the USPS, (col. 6, lines 36-40 discloses that upon return,

label 49 is associated with label 251, and information on label 49 is scanned/stored in

the database, and since delivery confirmation label 254 is affixed to the label 251 [or to

label 49 upon a return], one can conclude that information on delivery confirmation label

254 is also scanned and stored in the database, meaning every time there is a return,

the delivery Confirmation is updated in the database when it is scanned).

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As per claims 18, 34, 39, Sansone does not specifically disclose

Receiving confirmatory delivery status information associated with the first

unique tracking identifier in response to processing the mail piece carrying the first

unique tracking identifier and reading the first unique tracking identifier carried on the

mail piece, (Col.5, lines 32-33, and Fig 3B shows that delivery confirmation 254 is

affixed to label 251 on the package [where label 251 contains the unique code used for tracking purposes);; and

updating the first delivery status associated with the first unique tracking identifier to indicate that the USPS has delivered the mail piece carrying the first unique tracking identifier, (col. 6, lines 36-40 discloses that upon return, label 49 is associated with label 251, and information on label 49 is scanned/stored in the database, and since delivery confirmation label 254 is affixed to the label 251 [or to label 49 upon a return], one can conclude that information on delivery confirmation label 254 is also scanned and stored in the database, meaning every time there is a return,

the delivery Confirmation is updated in the database when it is scanned)..

Neither Sansone nor Gordon disclose USPS processing, however, Sansone does disclose that the label of a Merchandise Return Label includes the name of the post office that issued the permit number for returning a package. However, Whitehouse discloses: wherein the confirmation status information is received from the USPS, (Col. 7, lines 40-42, shows postal authority, and col. 1, lines 37-42, shows electronically dispensing postage using PC-based system that retains the cost viability, while simultaneously meeting the host of additional requirements imposed by the USPS).•

Whitehouse discloses this limitation in an analogous art for the purpose of showing that the postal authority is in charge of validating all postal information).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose USPS processing for the purpose of showing that the postal

authority has control over all postal transactions.

As per claims 19/20, Sansone discloses:

wherein the refund inquiry is received from an account administrator that operates a user interface at the postage-issuing computer system, (Col. 6, lines 20-24, buyer contact return processing);

As per claim 23, Sansone discloses:

generating, at a postage.-issuing computer system, a first unique postage indicium, *(col 5, lines 16.-29 shows* indicia that contains: a dollar amount 93 for the total postage and fees due; the date 94 that indicia 90 was generated; the place 95 of the computer that printed indicia 90; the postal security device serial number 96 or virtual meter number; a FIM code 97; a two-dimensional, encrypted bar code 98; the zip code 91 of the seller who is returning the goods that label 251 is affixed to; and the class of mail 92 to which label 251 is going to be affixed, and where unique number 252 appears below indicia 90, which is encrypted and includes the date and time that indicia 54 was printed on label 49 and the weight of container 50 when it was originally sent).

storing information for the first postage transaction in a database coupled to the

postage-issuing computer system, wherein the information stored for the first postage

transaction includes the first unique tracking identifier that provides the mail piece [[for]]

tracking capability within the USPS, a first date for the first postage transaction, a first

destination zip code for the first postage transaction, a first postage amount for the first

postage, .transaction, and [[an]] a first delivery status associated with the first unique

tracking identifier, (Col. 6, lines 28-33, calculates postage required and enters the

appropriate information in label 251 which includes codes used to track the goods (see

fig 3A, [zip codes 80 and 84])], here, this information is then stored in actual returned

orders data base, and Col. 4, lines 49-59, dollar amount, date, Zip code, class of mail,

date and time, weight, and col. 9, lines 14-26, shows that a determination as to whether

or not stored information matches the decrypted portion of bar code 253 on

Merchandise Return Label 251. If a determination is made that the information

matches/does not match, a status report is reported, thereby making it obvious for the

status information to be also stored since the status information is actually reported

back to the customer based on information in the database, and therefore, some type of

storage of the status information must take place in order for it to be "reported" and also

since status information is originally derived from database information . It would have

been obvious to one of ordinary skill in the art at the time of the applicant's invention to

disclose storage of delivery status information with the motivation of showing that

information derived from data in the database had been originally stored);

refunding the postage transaction identified in the refund inquiry in response to the

delivery status indicating that the USPS has delivered a mail piece carrying; only one of

the first unique tracking identifier or the second unique tracking identifier associated with

the duplicative postage transactions, (col. 6, lines 40-47, buyer 200 will receive a refund

via returned goods process if there is a match in the database).

Sansone et al does not specifically disclose in response to receiving a first request for a

first postage transaction, wherein the first unique postage indicium contains a first

unique tracking; identifier that provides a mail piece tracking, capability, however,

Gordon, in col. 4, lines 46-65, shows a request for postage where Part of the processing

of this request ensures that proper payment for the postage has been received and

Once the request for postage has been fully processed within the postal authority 10,

the cryptographically secured or plain text postage indicia is transmitted 16 to the mailer

and col. 5, lines 20-32 shows that, as part of the request 14, the mailer 12 transmit

recipient address information to the postal authority 10. The postal authority 10 then

associates the recipient address information with the indicia created therein and stores

this information in a master log database 20, and at this point, the master log database

stores the associated indicia and recipient address information in an indexed fashion

within the database, where the postage indicia contains a serial or transaction number

which may be utilized to index the master log database. It would have been obvious to

combine the teachings of Sansone and Gordon to disclose generating , a unique

postage indicium in response to receiving a request for a postage transaction, wherein

the unique postage indicium contains a unique tracking identifier that provides a mail

piece tracking capability with the motivation of showing that unique indicium is used to

track packages.

Sansone et al does not specifically disclose searching the database for the information

stored for the first postage transaction and the information stored for the second

postage transaction in response to the postage-issuing computer system receiving a

refund inquiry identifying; one of, wherein the first postage transaction or the second

postage transaction; identifying the first postage transaction and the second *postage,*

transactions as duplicative postage transactions in response to determining

that the first date., the first destination zip code, and the first postage amount

for the first postal transaction are respectively identical to the second date, the second

destination zip code, and the second postage amount for the second postage

transaction, however, in the abstract, Gordon discloses that counterfeit indicia are

identified through a comparison of the stored information in the master log database

with information scanned from the mailpiece itself, and that counterfeits may also be

detected by recognizing the multiple occurrences of identical indicia. It therefore would

be obvious to combine the teachings of Sansone et al and Gordon to disclose the above

limitations.

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to disclose the above limitations with the motivation of determining

if multiple transactions are processed at a time.

Neither Sansone nor Gordon specifically disclose the following, however Sansone does disclose a system for issuing a refund for returned items in col. 10, line 61. However, Whitehouse discloses in the Abstract, lines 10-15, a database of information concerning user accounts [plural], and also, in Col. 28, lines 21-23, general postal indicia based on a plurality of user accounts, and also in Col. 25, lines 5-17, request a refund/issue a refund. It therefore would be obvious to combine the teachings of Sansone, Gordon and Whitehouse to disclose the following:

generating, at the postage-issuing computer system, a second unique postage indicium in response to receiving a second request for a second postage transaction, wherein the second unique postage indicium contains a second unique tracking identifier that provides the mail piece tracking capability within the United States Postal Service (USPS);

storing information for the second postage transaction in the database, wherein the information stored for the second postage transaction includes the second unique tracking identifier that provides the mail piece tracking capability within the USPS, a second date for the second postage transaction, a second destination zip, code for the second postage transaction, a second postage amount for the second postage transaction, and a second delivery status associated with the second unique tracking, identifier;

first and second delivery status

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose the above limitations in an analogous art for the purpose of showing that the postal service can deal with a plurality of postage transactions for a plurality of user accounts, and does not issue refunds for postage indicia that was previously used.

As per claim 24, Sansone does not specifically disclose associating the information stored for the first postage transaction and the information stored for the second postage transaction, with one or more user accounts at the postage-issuing computer system, but Gordon discloses that counterfeit indicia are identified through a comparison of the stored information in the master log database with information scanned from the mailpiece itself, and that counterfeits may also be detected by recognizing the multiple occurrences of identical indicia. It therefore would be obvious to combine the teachings of Sansone et al and Gordon to disclose associating the information stored for the first postage transaction and the information stored for the second postage transaction with a user account at the postage-issuing computer system.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose the above limitation with the motivation of determining if multiple transactions are processed at a time.

As per claim 26, Sansone discloses:

wherein the information stored for the first postage transaction further

includes-a first postage transaction time, a first service class, a first mail piece weight,

and the first unique postage indicium for the first postage transaction, , (Col. 4, line 18,

data included with the. postal indicia). As per claim 26, Sansone discloses: wherein the

information for each postage transaction further comprises a postage transaction date,

postage transaction time, destination zip code, service class, postage amount, and mail

piece weight, (Col. 4, lines 49-59, dollar amount, date, Zip code, class of mail, date and

time, weight).

Neither Sansone nor Gordon specifically disclose the following, however Sansone does

disclose a system for issuing a refund for returned items in col. 10, line 61. However,

Whitehouse discloses in the Abstract, lines 10-15, a database of information concerning

user accounts [plural], and also, in Col. 28, lines 21-23, general postal indicia based on

a plurality of user accounts, and also in Col. 25, lines 5-17, request a refund/issue a

refund. It therefore would be obvious to combine the teachings of Sansone, Gordon

and Whitehouse to disclose the following:

wherein the information stored for the second postage, transaction further includes a

second time, a second service class, a second mail piece weight, and the second

unique postage, indicium for the second postage transaction.

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to disclose the above limitations in an analogous art for the

purpose of showing that the postal service can deal with a plurality of postage

transactions for a plurality of user accounts, and does not issue refunds for postage

indicia that was previously used.

As per claim 28, the combination of Sansone, Gordon and Whitehouse disclose

all limitations as discussed with respect to claim 23 above, and further including:

a database coupled to a postage-issuing computer system, (Col. 5, lines 55-58,

data base);

a communications link …(coll. 5, lines 56-58, communications link)

a master tracking computer system connected..t0 the postage-issuing computer system

through the communications link, (Fig 4, [300]); and

data processing circuitry …(inherent with computer in col. 6, lines 19-30).

As per claim 30, Sansone does not specifically disclose but Gordon discloses that

counterfeit indicia are identified through a comparison of the stored information in the

master log database with information scanned from the mailpiece itself, and that

counterfeits may also be detected by recognizing the multiple occurrences of identical

indicia. It therefore would be obvious to combine the teachings of Sansone et al and

Gordon to disclose wherein executing the data processing circuitry on the postage-

issuing computer system further causes the postage-issuing computer system to

associate the information stored for the plurality of postage transactions with one or

more user accounts.

It would have been obvious to one of ordinary skill in the art at the time of the

applicant's invention to disclose the above limitation with the motivation of determining if

multiple transactions are processed at a time.

As per claim 31, Sansone discloses:

wherein the information stored for each of .the plurality of postage transactions-further

includes respective dates and the respective unique postage indicia for each of the

plurality of-postage transactions, (Col. 4, line 18, date included with the postal indicia).

As per claim 32, Sansone discloses: wherein the information stored for each of the

plurality of postage transactions further includes respective dates, respective times,

destination zip codes, respective service classes, respective postage amounts,

respective mail piece weights and the respective unique postage indicia for each of the

plurality of postage transactions, (Col. 4, lines 49-59, dollar amount, date, zip code,

class of mail, data and time, weight).

As per claim 33, the combination of Sansone, Gordon and Whitehouse disclose all

limitations as discussed with respect to claim 23 above,

As per claim 36, Sansone discloses:

further comprising displaying the information stored for the plurality of postage

transactions at the postage-issuing computer system in response to the duplicative

postage transaction inquiry, (Col. 7, lines 38-44, display results of postage calculations).

As per claim 37, Sansone discloses: wherein the information stored for each

of the plurality of postage transactions further includes respective dates, respective

destination zip respective service classes, respective postage amounts, and the

respective unique postage indicia for each of the plurality of postage transactions, (Col.

4, lines 49-59, dollar amount, date, zip code, class of mail, data and time, weight).

As per claims 40, 41, Sansone discloses: wherein the duplicative postage

transaction inquiry is received from an account administrator that operates a user

interface at the postage-issuing; computer system, (Col. 6,lines 20-24, buyer contact

return processing for refund inquiry).

As per claim 44, Sansone discloses: wherein executing the data processing circuitry on

the postage-issuing computer system further causes the postage-issuing computer

system to filter out the refunded postage transactions from the duplicative postage

transactions to prevent the filtered postage transactions from receiving multiple refunds,

(Col. 9, lines 52-53, Col. 10, lines 19-21, transfers container to inspect bin, w/Col. 9,

lines 35-53, after container for a postage transaction goes to an inspect bin, a

determination is made as to whether read records containing delivery information

matches and searches carrier [262] database, w/Col. 3, lines 15-21,shows the detection

of modified indicia, and searching the labels for duplicate entrees, in this case, since the

labels are Merchandise Return Labels, it is inherent that the delivery status would be

"returned", and Col. 3, lines 21-23, shows that the data center will pay the post the

amount debit to the meter for the cost of returning the container, in this case, since

duplicate entrees are already detected, sent to the data center, and the data center

pays post for return shipping based on entrees that are not duplicated, it is impossible

for the post to be refunded multiple times).

As per claim 48, he combination of Sansone Gordon and Whitehouse discloses all

limitations as discussed above with respect to claim 23, however, Whitehouse

discloses:

checking for a change in the delivery status associated with the unique tracking

identifier in response to refunding the postage transaction, wherein the postage-issuing

computer system checks for the change in the delivery, status during a period of time

after the postage transaction has been refunded, (Col. 2, lines 3-18 providing a signal).

Whitehouse discloses this limitation in an analogous art for the purpose of showing that

a signal is provided indicative of the status of means for calculating postage.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to disclose the limitation above with the motivation of determining the most up to date status of a refund.

As per claims 55/56, Sansone does not specifically disclose the following, however does disclose a system for issuing a refund for returned items in col. 10, line 61.

However, Whitehouse discloses:

the period of time comprises a predetermined number of days/months, (obvious with Col. 19, lines 20-23, month, col. 20, lines 16-21, day).

Whitehouse discloses the above limitations in an analogous art for the purpose of showing that the postal service can deal with a plurality of postage transactions a given month or day.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention for the period of time to comprise a predetermined number of days/months with the motivation of processing postage transactions for predetermined periods.

5.   Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone, (US 6,547,136), and further view of Gordon (6, 527, 128), and further in view of Whitehouse (US 6,005,945), and further in view of Sansone et al (us 5,008,827).

As per claim 29, neither Sansone '136, nor Gordon nor Whitehouse disclose the

following, however Sansone '136 does disclose a system for issuing a refund for

returned items in col. 10, line 61. However, Sansone et al '827 discloses: request

confirmatory delivery status information wherein associated with one or more of the

respective unique tracking identifiers from the master tracking computer system receive

the requested confirmatory delivery status information associated with the one or more

respective unique tracking; identifiers from the master tracking computer system,

wherein the confirmatory delivery status information indicates whether the USPS has

delivered one or more mail pieces carrying the one or more respective unique tracking

identifiers and updating the delivery statuses associated with the one or more

respective unique tracking; identifiers in the database with the confirmatory delivery

status information received from the master tracking computer system, (col. 22, line 66-

col. 23, line 14, system for tracking an article including means responsive to a tracking

request identifying delivery stage through a user interface). Sansone et al discloses this

limitation in an analogous art for the purpose of showing that a delivery stage can be

identified in a delivery system.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's

invention to disclose the above limitations with the motivation of showing that the

delivery status for a package can be obtained through a computer system.

Response to Arguments

6.   Applicant's arguments with respect to claims 1, 3-6, 8-9, 12-24, 26-38, 40-42, 44, 45, and 55-56 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the •Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-

3900.

A. R. B.
October 27, 2009

/Akiba K Robinson-Boyce/

Primary Examiner, Art Unit 3628